



# Hawkesbury City Council

## ordinary meeting minutes

date of meeting: 09 March 2021

location: council chambers and  
by audio-visual link

time: 6:30 p.m.



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## ORDINARY MEETING

Minutes: 09 March 2021

Minutes of the Ordinary Meeting held at the Council Chambers and by Audio-Visual Link, Windsor, on 9 March 2021, commencing at 6:31pm.

### Welcome

The Mayor, Councillor Patrick Conolly acknowledged the Indigenous Heritage.

The Acting General Manager addressed the Council meeting, mentioning:

- Emergency Procedures
- Recording of the Council Meeting
- Statement regarding people addressing the Meeting
- Mobile phones

### ATTENDANCE

At Council Chambers: Councillor Patrick Conolly, Mayor and Councillors Barry Calvert and Nathan Zamprogno.

By Audio-Visual Link: Councillor Mary Lyons-Buckett, Deputy Mayor and Councillors Emma-Jane Garrow, Amanda Kotlash, Peter Reynolds, Sarah Richards, John Ross, Tiffany Tree and Danielle Wheeler.

### ALSO PRESENT:

At Council Chambers: Acting General Manager - Laurie Mifsud, Director City Planning - Linda Perrine, Director Infrastructure Services - Jeff Organ, Acting Director Support Services - Emma Galea, Manager Corporate Communications - Suzanne Stuart, Acting Manager Property and Strategy - Linda Hewitt and Administrative Support Coordinator - Tracey Easterbrook.

### APOLOGIES AND LEAVE OF ABSENCE

An apology for absence was received from Councillor Paul Rasmussen.

### 63 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno and seconded by Councillor Wheeler that the apology be accepted.

### DECLARATIONS OF INTEREST

Councillor Conolly declared an interest on Item 049.

### Acknowledgement of Official Visitors to the Council

There were no official visitors.

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**SECTION 1 - Confirmation of Minutes**

**64 RESOLUTION:**

RESOLVED on the motion of Councillor Lyons-Buckett and seconded by Councillor Calvert that the Minutes of the Ordinary Meeting held on 23 February 2021, be confirmed.

## ORDINARY MEETING

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### SECTION 2 – Mayoral Minutes

Item: 045                      MM - A Customer and Community Focused Council - (125610, 79351)

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#### MOTION:

RESOLVED on the motion by the Mayor, Councillor Conolly.

*Refer to RESOLUTION*

#### 65 RESOLUTION:

RESOLVED on the motion by the Mayor, Councillor Conolly.

That:

1. A set of metrics be developed at a Councillor Briefing Session that report on the facilities and operations that Council manage and that address the interaction with a range of Council's functions, including Customer Service, Cultural Services, City Planning and other relevant areas of Council.
2. Following the Councillor Briefing Session, the set of metrics be reported back to Council for consideration.
3. The information be published quarterly on Council's website and be updated every three months.

**For the Motion:** Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

**Against the Motion:** Nil.

**Absent:** Councillor Rasmussen.

## ORDINARY MEETING

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### CONFIDENTIAL REPORTS

#### 66 RESOLUTION:

RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Calvert.

That:

1. The Council meeting be closed to deal with confidential matters and in accordance with Section 10A of the Local Government Act, 1993, members of the Press and the public be excluded from the Meeting during consideration of the following items:

**Item: 046 GM - Workers Compensation Matter - (79351)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(a) of the Local Government Act, 1993 as it relates to personnel matters concerning particular individuals (other than councillors).*

**Item: 047 SS - Lease to The Trust Company (Australia) Limited - Part Hollands Paddock - 50 The Terrace, Windsor - (112106, 95496, 132053)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 048 SS - Property Matter - Lease to Urban City Consulting Pty Ltd - Johnson Wing, 4 Christie Street, Windsor - (112106, 95496, 85782)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

**Item: 049 SS - Property Matter - Lease to Britannia Catering - Deerubbin Centre Cafe, 300 George Street, Windsor - (112106, 95496, 151902)**

*This report is **CONFIDENTIAL** in accordance with Section 10A(2)(c) of the Local Government Act, 1993 as it relates to details concerning the leasing of a Council property and it is considered that the release of the information would, if disclosed, confer a commercial advantage on a person or organisation with whom the Council is conducting (or proposes to conduct) business and, therefore, if considered in an open meeting would, on balance, be contrary to the public interest.*

2. In accordance with the provisions of Section 11(2) & (3) of the Local Government Act, 1993 the reports, correspondence and other relevant documentation relating to these matters be withheld from the Press and public.

#### 67 RESOLUTION:

RESOLVED on the motion of Councillor Calvert, seconded by Councillor Zamprogno that open meeting be resumed.



**ORDINARY MEETING**

**Minutes:** 09 March 2021

**Item: 046**                      **GM - Workers Compensation Matter - (79351) CONFIDENTIAL**

**Directorate:**                General Manager

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**MOTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Richards, seconded by Councillor Zamprogno.

*Refer to RESOLUTION*

**68 RESOLUTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Richards, seconded by Councillor Zamprogno.

That the information regarding the settlement of a Workers Compensation claim as detailed in the report be noted.

**For the Motion:**                Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

**Against the Motion:**                Nil.

**Absent:**                                Councillor Rasmussen.

## ORDINARY MEETING

Minutes: 09 March 2021

**Item: 047**                      **SS - Lease to The Trust Company (Australia) Limited - Part Hollands Paddock - 50 The Terrace, Windsor - (112106, 95496, 132053) CONFIDENTIAL**

**Previous Item:**              080, Ordinary (28 April 2020)

**Directorate:**                Support Services

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### **MOTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Wheeler.

### ***Refer to RESOLUTION***

### **69 RESOLUTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Zamprogno, seconded by Councillor Wheeler.

That:

1. Council proceed to publicly exhibit and notify the proposed lease to The Trust Company (Australia) Limited for part of Hollands Paddock located at 50 The Terrace, Windsor, as outlined in the report and in accordance with Sections 47 and 47A of the Local Government Act, 1993.
2. At the expiration of the public notification period outlined in Part 1 above, the following action be taken:
  - a) Should any submissions be received regarding the proposed lease to The Trust Company (Australia) Limited for part of Hollands Paddock located at 50 The Terrace, Windsor, a further report be submitted to Council, or
  - b)
    - (i) Should no submissions be received, Council enter into a new lease with The Trust Company (Australia) Limited for part of Hollands Paddock, 50 The Terrace, Windsor, as outlined in the report.
    - (ii) Authority be given for any documentation in association with the matter to be executed under Seal of Council.
    - (iii) Details of Council's resolution be conveyed to the proposed Lessee, together with the advice that Council is not, and will not, be bound by the terms of the resolution, until such time as appropriate legal documentation to put such a resolution into effect has been agreed to and executed by all parties.

**For the Motion:**              Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

**Against the Motion:**        Nil.

**Absent:**                        Councillor Rasmussen.

## ORDINARY MEETING

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**Item: 048**                      **SS - Property Matter - Lease to Urban City Consulting Pty Ltd - Johnson Wing, 4 Christie Street, Windsor - (112106, 95496, 85782) CONFIDENTIAL**

**Directorate:**                      Support Services

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### **MOTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Calvert, seconded by Councillor Zamprogno.

***Refer to RESOLUTION***

### **70 RESOLUTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Calvert, seconded by Councillor Zamprogno.

That:

1. Council agree to enter into a new lease with Urban City Consulting Pty Ltd in regard to the Johnson Wing, 4 Christie Street, Windsor, as outlined in this report.
2. Authority be given for any documentation in association with this matter to be executed under the Seal of Council.
3. Details of Council's resolution be conveyed to the Lessee, together with the advice that Council is not, and will not, be bound by the terms of its resolution until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

**For the Motion:**                      Councillors Conolly, Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Ross, Tree, Wheeler and Zamprogno.

**Against the Motion:**                      Nil.

**Absent:**                                      Councillor Rasmussen.

## ORDINARY MEETING

Minutes: 09 March 2021

**Item: 049**                      **SS - Property Matter - Lease to Britannia Catering - Deerubbin Centre Cafe, 300 George Street, Windsor - (112106, 95496, 151902) CONFIDENTIAL**

**Directorate:**                      Support Services

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Councillor Conolly declared a pecuniary interest in this matter as the current tenant is a client. He left the Meeting and did not take part in voting or discussion on the matter.

The Mayor, Councillor Conolly requested that the Deputy Mayor, Councillor Lyons-Buckett preside at the meeting during consideration of this matter. The Mayor, Councillor Conolly left the meeting and the Deputy Mayor, Councillor Lyons-Buckett presided at the meeting for this matter.

### **MOTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Zamprogno.

### ***Refer to RESOLUTION***

### **71 RESOLUTION:**

The Acting General Manager advised that whilst in closed session, the Council RESOLVED on the motion of Councillor Kotlash, seconded by Councillor Zamprogno.

That:

1. Council agree to enter into a lease with Brett and Tanya Ramm, trading as Britannia Catering, for the property known as Deerubbin Centre Cafe, as outlined in the report.
2. In conjunction with Part 1. above, Council agree to surrender the current lease with Amos Leighton, trading as 'The Evergreen Café', for the property known as Deerubbin Centre Cafe, as outlined in the report.
3. Authority be given for the Surrender of Lease and the new Lease and any other relevant documentation in association with this matter to be executed under the Seal of Council.
4. Details of Council's resolution be conveyed to the current and proposed Lessees, together with the advice that Council, is not and will not, be bound by the terms of its resolution, until such time as appropriate legal documentation to put such resolution into effect has been agreed to and executed by all parties.

**For the Motion:**                      Councillors Lyons-Buckett, Calvert, Garrow, Kotlash, Reynolds, Richards, Tree, Wheeler and Zamprogno.

**Against the Motion:**                      Councillor Ross.

**Absent:**                                      Councillors Conolly and Rasmussen.

### **Chairperson at Meeting**

The Mayor, Councillor Conolly returned and presided at the meeting.

**ORDINARY MEETING**

**Minutes:** 09 March 2021

The meeting terminated at 7:45pm.

Submitted to and confirmed at the Ordinary meeting held on 30 March 2021.

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Mayor